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Follow-up to the recommendations of the Permanent Forum on: (a) Economic and social development; (b) Indigenous women; (c) Second International Decade of the World's Indigenous People

Human rights: (a) Implementation of the United Nations Declaration on the Rights of Indigenous Peoples; (b) Dialogue with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples and other special rapporteurs

Information received from Governments

Nicaragua**

Summary

The present report contains the responses provided by the Government of Nicaragua to the questionnaire addressed to Member States regarding the recommendations of the Permanent Forum on Indigenous Issues at its seventh session.

* E/C.19/2009/1.

** Publication of the present report was delayed in order to ensure the inclusion of the most recent information.

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I. Response to the recommendations of the Permanent Forum on Indigenous Issues, with particular attention to its recommendations on economic and social development, indigenous women and the Second International Decade of the World's Indigenous People

1. The Republic of Nicaragua is a party to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Its 1987 Constitution officially recognized for the first time that Nicaragua is a multi-ethnic, multicultural and multilingual nation with indigenous peoples and communities of African descent who have historical rights as regards communal ownership, use and enjoyment of their natural resources, as well as the right to official use of their languages. In addition, the Constitution incorporates the principles of equality and non-discrimination before the law, and lays down the obligation of the State to enact laws to ensure that no citizens are subject to discrimination. To that end, article 27 stipulates that "all persons are equal before the law and have the right to equal protection. There shall be no discrimination on the basis of birth, nationality, political creed, race, sex, language, religion, opinion, origin, economic position or social status". Similarly, article 91 provides that "the State has the obligation to pass laws aimed at promoting measures that ensure that no Nicaraguan shall be discriminated against on the basis of his language, culture or origin".

2. In addition, in 1987 an Autonomy Statute (act 28) granting legal, political, administrative and economic authority to regional councils was enacted. On the basis of this law, regional autonomy establishes that all ethnic groups have equal rights regardless of their number or level of development. Act 28 has continued to evolve since its enactment, mainly with regard to the issue of political decentralization, which manifests itself specifically in regional elections of the authorities and the Autonomous Regional Councils with the participation, not only of national political parties such as the Sandinista National Liberation Front (FSLN), but also of regional political parties such as Yapti Tasba Masraka Nanih Aslatakantka (YATAMA) (the children of Mother Earth) and the Coastal Unity Movement Party (PAMUC).

3. The representativity of traditional leaders of indigenous communities does not hinge on formal procedures established by written law. Instead, it relies on elections or appointments by consensus within the community, in accordance with ancestral customs and traditions, and such representativity is in itself a constitutional right of the communities and their members. The exercise of that right has been gradually improving with the backing of constitutional and municipal law. Election of community leaders as members of an executive council, council of elders, trustees, community judges or any other traditional leader of an indigenous community in Nicaragua does not proceed according to any norm established by written, statutory or codified law. Instead, leaders are elected according to the community's own customary law as derived from traditional practices and customs, which are recognized in article 180 of the Political Constitution of Nicaragua, which establishes the following: "The Atlantic Coast communities shall have the right to live and develop according to the forms of social organization that are in keeping with their historical and cultural traditions. The State shall guarantee these

communities the enjoyment of their natural resources, the validity of their methods of communal property ownership and the freedom to elect their authorities and deputies. Similarly, it shall also ensure the preservation of their cultures, languages, religions and customs."

4. In the indigenous communities that live on the Atlantic Coast of Nicaragua, the adult members form an assembly and appoint and dismiss by consensus their community authorities, most of whom are not chosen for pre-established terms but rather for indefinite periods, depending on the community's needs and circumstances. In general, communities do not maintain records of the selection process; rather the mutual agreement between the appointee and those who chose him guarantees the validity of and ensures respect for the process.

5. It is worth noting that the National Assembly has a Commission on Ethnic Affairs tasked with ensuring that these peoples' and communities' rights and responsibilities are incorporated into national legislation.

6. Act 445 (also of 1998) is another important legal instrument that governs the right of indigenous and Afro-descendant peoples to own land and territory.

7. In 2001, the National Commission for the Elimination of Racial Discrimination was established, which is composed of State institutions, civil society organizations, indigenous people's movements and communities of African descent. This Commission's primary aim is to promote and disseminate information at national level on the fight against racism and discrimination and also to coordinate and implement an action plan to make progress in the autonomy process of the Atlantic regions and integrate the peoples of the Pacific, Central and Northern regions under conditions of dignity and equality, thereby facilitating the construction of a genuinely equitable, inclusive and multi-ethnic society.

8. On 13 November 2007, the new Code of Criminal Procedure was issued, article 36 of which defines racial discrimination as an offence. Moreover, the International Convention on the Elimination of All Forms of Racial Discrimination has the status of ordinary law in national legislation.

9. The indigenous populations of the Pacific, Central and Northern regions of Nicaragua drew up a draft law that was submitted in 2006 to the Commission on Ethnic Affairs, Autonomy Regimes, and Indigenous Communities of the National Assembly and was the subject of a consultation process in which the country's indigenous peoples participated for its subsequent report. A very important element that was added was the recommendation to set up an institution to meet the needs of the indigenous peoples, whose functions would include strengthening indigenous unity and promoting the economic and cultural progress of the indigenous communities; and under the draft law a budget appropriation would be allocated by the State. All of this would be in accordance with the provisions of article 5 (3) of the Political Constitution, which stipulates that: "the State shall recognize the existence of the indigenous peoples, who shall enjoy the rights, duties and guarantees set forth in the Constitution, in particular tho e relating to maintaining and developing their identity and culture, having their own forms of social organization and managing their local affairs, as well as maintaining the communal forms of ownership of their lands and the enjoyment, use and possession of them, all in accordance with the law". To date, the draft law has been approved and is in the

lobbying process with the various parties for its definitive approval when it is submitted to the Plenary.

10. In the judicial sphere, the Supreme Court of Justice, with the support of the Inter-American Development Bank (IDB) implemented the programme to establish care, mediation, information and orientation centres in approximately eight communities with the highest poverty levels in the North Atlantic Autonomous Region and the South Atlantic Autonomous Region (Kururia, Auhya Pihni, Sahsa, El Hormiguero, Mulukukú, Orinoco and Rama Cay), Jinotega (Cua-ocay), Rio San Juan (San Miguelito) and Matagalpa (Muy Muy), in order to bring the indigenous justice system closer to and into greater harmony with the Western system as a conciliatory measure to establish peace and harmony, the ultimate aim of which is to administer justice. This principle has already been incorporated into Nicaraguan legislation, namely, the Code on Childhood and Adolescence, the Urban and Agrarian Property Amendment Act, the Organic Law of the Judicial Branch and the Code of Criminal Procedure.

11. To date, the IDB has already provided the North Atlantic Court of Appeals with seven care, mediation, information and orientation centres, which have organizational structures made up of 100 community members to resolve community conflicts through mediation, as part of the project to strengthen the judicial system and ensure access to justice, which is funded by that multilateral body. Since last September, these centres have been taken over by the Puerto Cabezas Court of Appeals. Since its establishment, rural judicial facilitators and community *whistas* (community judges) in the North Atlantic Autonomous Region and the South Atlantic Autonomous Region have assumed the role of representatives of the justice system in their areas and have been conducting commendable work, as has been acknowledged by the Supreme Court of Justice. Their efforts have made it possible for indigenous and Mestizo communities to live in peace and harmony. To date, 15 multipliers with mediation skills and an overall total of 1,543 mediators have been trained.

12. In May 2005, the procedural manual issued by the mediation and arbitration centres for obtaining accreditation entered into force, on the basis of Act 540 on mediation and arbitration. This work is one of the new roles of the Office of Alternative Dispute Resolution, within the organizational structure of the Supreme Court of Justice. All these efforts are part of the programme to strengthen the judicial system and ensure access to justice and are financed for a period of four years by IDB, which provides funds for the construction of mediation centres and the training of mediators at all levels.

13. At the same time, the regulations in the Organic Law of the Judicial Branch provide that, for the selection of judges in the autonomous regions of Jinotega and Nueva Segovia, knowledge of the languages of the indigenous and ethnic communities of the Atlantic coast of Nicaragua is a preferential advantage for the appointment of members of the judicial branch. Article 17 stipulates that court proceedings must be conducted in Spanish and in the language spoken in the autonomous regions when the proceedings are held within the regions' territorial jurisdiction and one of the parties concerned requires it. When the language of one of the parties differs from that in which the proceedings are being held, they must always be conducted with the assistance of a translator or interpreter. Under no circumstances, can any of the parties be prevented from using their own language.

The assistance of a translator or interpreter is provided free of charge and is guaranteed by the State in accordance with the law. The Public Prosecutor's Office also has representatives in the autonomous regions in order to attend to the needs of the population.

14. In the area of education, Nicaragua has ensured that it is provided in a bilingual intercultural context so that all the educational programmes that the Ministry of Education and Sports promotes in the rest of the country, that is, preschool, bilingual primary, special and secondary programmes, are implemented in the two Caribbean coast Autonomous Regions with Miskito, Creole, Sumo Mayagna, Rama and Garifuna populations in their own mother tongue. In October 1997, the Autonomous Regional Educational System was approved, which focuses on the overall education of the indigenous inhabitants and ethnic communities established and maintained under current national legislation, the Political Constitution, the Autonomy Statute, the Language Act, the General Basic and Secondary Education Act and the Intercultural Bilingual Education Programme, which facilitates access to the various educational offerings by the inhabitants of the Nicaraguan Atlantic Autonomous Regions. The General Education Act (Act 582) takes up the constitutional principle of the indigenous peoples and ethnic communities of the Caribbean coast relating to their main rights such as the right to intercultural education in their mother tongue and the learning of Spanish as the national language, establishing under article 4 "the comprehensive training of the children, adolescents and men and women of the Caribbean coast at all levels of the educational system, and respect for and the rescuing and strengthening of the various identities: ethnic, cultural and linguistic, in harmony with the principles laid down in our Political Constitution" and under article 5 "the inculcation in Nicaraguan men and women of a moral, critical, scientific and humanist awareness; the development of their personalities with dignity, preparing them to assume the tasks required for the development of the multi-ethnic nation" (follow-up to the recommendations in paragraph 96).[1]

15. Following the recommendations set forth in paragraph 97,[1] the Government of Reconciliation and National Unity, through the Ministry of Citizen Power for Foreign Relations, is preparing the necessary documentation in order to submit for consideration by UNESCO the candidature of the Rama people for inscription on the List of Intangible Cultural Heritage for the purpose of preserving their language and culture.

16. With regard to health, the National Health Policy has prioritized the provision of care to children under the age of five; women, particularly during pregnancy; inhabitants of the country's dry area; Caribbean coast population groups in extreme poverty; indigenous territories; the disabled; farm workers; and the elderly. Accordingly, after many years of occupying a not very honourable first place in terms of the incidence of maternal mortality, the North Atlantic Autonomous Region has experienced an appreciable change as a result of the efforts of the Government of Reconciliation and National Unity, which, together with health-care professionals and traditional doctors, is working jointly in order to deal with the problem. According to preliminary data from the Statistics Office of the Nicaraguan Ministry of Health, the maternal mortality rate in the North Atlantic Autonomous Region fell from 252.8 in 2006 to 96.5 in 2008. In the South Atlantic Autonomous Region, it

[1] E/2008/43.

declined from 323.6 in 2006 to 88.8 in 2008, indicating a significant difference in both cases.

17. Other important programmes such as "The right to a name and a nationality" programme, which was promoted by the United Nations Children's Fund (UNICEF), the Supreme Electoral Council, regional and municipal authorities and international non-governmental agencies, were set up to respond to the needs of more than 500,000 children in indigenous communities in the eastern North Atlantic and South Atlantic Autonomous Regions who had no birth certificates and whose rights as Nicaraguan citizens were therefore limited. In four and a half years, the programme registered some 97,000 children and adolescents in the North Atlantic Autonomous Region, where approximately 100,000 of them had been identified as unregistered. Work began this year in the South Atlantic Autonomous Region with the goal of registering some 100,000 minors and in the Department of Nueva Guinea, which is south of that territory, in order to carry out 50,000 registrations.

18. With respect to climate change and the environment, Nicaragua acts through the General Office of Territorial Coordination under the Ministry of the Environment and Natural Resources, which is the body that coordinates, assists, supports and evaluates the work of the Ministry's 17 territorial delegations in terms of environmental and legal technical questions, planning and administration with input from the central level in order to strengthen the delegations' activities in environmental management related to protecting the environment and the sustainable use of natural resources in a regionalized and decentralized manner, in coordination with other institutions of the State, regional governments, regional councils, natural resources secretariats, sectorial and municipal environmental management units, mayors' offices, non-governmental organizations and, of course, with the participation of citizens, fostering responsible citizenship committed to improving the environment in accordance with the recommendations in paragraphs 17, 18, 19 and 21.[1]

19. In relation to the recommendations contained in paragraphs 9, 10, 11 and 22,[1] the Ministry of the Environment and Natural Resources is developing a national action plan for climate change, which clearly indicates, in the section on protected areas, promotion and participation as key tools of the indigenous and farming communities in those areas as well as the promotion of territorial management in which resources are invested for setting up profitable and sustainable productive systems that help alleviate poverty and reduce pressure on the remaining forest tracts on the basis of respect for the rights of indigenous communities, among others.

II. Obstacles to the implementation of the Permanent Forum's recommendations

20. First of all, we can point out that, in spite of the readiness of the Government of Reconciliation and National Unity to implement all the measures recommended for the benefit of indigenous peoples and communities, the economic aspect has been a fundamental factor affecting the speedy implementation of these recommendations in a timely manner.

21. Furthermore, the political aspect has also had a negative effect on this process since, owing to their petty interests, right-wing sectors are attempting to impair Government efforts, particularly with regard to development with social justice, impeding many of the possible steps by the Government aimed at achieving this goal.

22. It is important to point out that the funds provided through international cooperation have not been sufficient to carry out the Government's national plans and programmes aimed at promoting and protecting the human rights of our indigenous communities as well as promoting our country's cultural and ethnic diversity.

III. Facilitating factors for the implementation of the Permanent Forum's recommendations

23. The Government of Reconciliation and National Unity bases its Human Development Plan on a social approach calling for economic development founded on the protection and development of human capital with particular emphasis on children and women, and majority groups of the young population of Nicaragua. Another important fact that should be stressed is that the Sandinista National Liberation Front (FSLN), the governing party, is the most multi-ethnic political party with a genuine gender-based approach uniting Creole, Garifuna, Miskito, Mayagna and Mestizo supporters. Creole women are filling a greater proportion of seats within FSLN, as opposed to other parties where their representation is non-existent or restricted. Similarly, the Government of Reconciliation and National Unity has been the only one that has provided decision-making positions to representatives of the various ethnic groups, thereby forming a Government cabinet that is genuinely multi-ethnic with a national vision.

24. Since January 2007 with the accession to political power of the "United, Nicaragua Triumphs" Alliance, led by FSLN, one of the first concrete steps taken to ensure the effective participation of the indigenous and Afro-descendant peoples and communities was the establishment of the Atlantic Coast Development Council with the fundamental objective of organizing government institutions able to strengthen the regional institutional framework and promote development in the Atlantic coast Autonomous Regions and indigenous communities, coordinating the communication mechanisms between the President of the Republic and the governments of the Autonomous Regions and acting as the President's liaison with the other State authorities on matters relating to the Atlantic coast Autonomous Regions. The institutions involved are the following:

(a) Caribbean Coast Development Council (Commander Lumberto Campbell, from the Creole ethnic group, responsible for coordinating State ministries for the autonomous administration of the Caribbean coast of Nicaragua);

(b) President of the Commission on Ethnic Affairs of the National Assembly (Brooklyn Rivera, the foremost leader of the Miskito ethnic group and national deputy in that State body);

(c) Minister of the Fisheries Institute (ADPESCA) (Steadman Fagoth, a Miskito leader);

(d) Deputy Minister and Secretary for International Cooperation (Valdrack Jaentschke, a Creole professional);

(e) Deputy Minister of Agriculture and Livestock (Benjamin Dixon Cuningham, an indigenous Miskito);

(f) National Forest Institute (INAFOR) (William Schwartz, a Mestizo coastal inhabitant);

(g) Ministry of Finance and Public Credit (Ivan Acosta, a Mestizo Creole);

(h) Special Delegate for Education Questions on the Caribbean Coast (Faran Dometz, a Creole);

(i) Special Delegate for Health Questions (Ned Smith, a Miskito Creole);

(j) Deputy Property Manager (Evelyn Taylor, an indigenous Miskito);

(k) Deputy Minister and Secretary for Indigenous and Afro-descendant Affairs (Joel Dixon, an indigenous Mayagna).

25. This organization has unquestionably facilitated the work of promoting and legislating in favour of the rights of indigenous and Afro-descendant peoples for the restoration of social justice, which the Government of Reconciliation and National Unity proposes to achieve in its governing plan.

26. A clear example of the readiness of the Nicaraguan Government was the transfer to the Caribbean Coast Council and the indigenous component (PRODEP-CI) of the funds used in the demarcation of and awarding of land titles to seven Mayagnas indigenous communities, including the Awas Tingni, which totalled the net amount of $45,442 in 2007, thereby complying with the decision of the Inter-American Court of Human Rights. The new manual on the demarcation process was also simplified in order to streamline the process. In addition, activities were coordinated between the Nicaraguan Territorial Studies Institute (INETER) and the National Commission for Land Demarcation and Titling (CONADETI); and of particular interest was a special plan for the demarcation of the Awas Tingni territories and the area at the mouth of the Rio Grande, where INETER will provide, with its own resources, a coordinator to serve as a liaison between the regional authorities and the Institute. Similarly, CONADETI will hire through its own resources regional technical personnel to carry out a topographic survey and construct boundary markers establishing the limits of these territories. In this way, the recommendation made in paragraphs 79 and 80[1] are being carried out.

IV. Specific laws, policies and strategies to address indigenous peoples' issues

27. In addition to the steps detailed in previous paragraphs, the Government of Reconciliation and National Unity issued Presidential decree No. 19-2008 of 5 May 2008, under which the President of the Republic, Commander Daniel Ortega Saavedra, declared the Miskito Indian Tasbaika Kum, Mayagna Sauni Bu and Kipla Sai Tabalika, located in the Alto Wangki and Bokay basin, to be indigenous territories under a special development regime for the attention of the executive branch, without detriment to municipal autonomy.

28. This decree reiterates the commitment of the Government of Reconciliation and National Unity to reduce poverty in the country, which includes reversing the historical exclusion to which the Miskito and Mayagna indigenous groups of the Alto Wangki and Bokay basin, which includes the territories of the Miskito Indian Tasbaika Kum, Mayagna Sauni Bu and Kipla Sai Tabalika, have been subjected. This area is composed of 48 indigenous communities of over 30,000 inhabitants. The primary objective of the measure is to promote plans, programmes and projects having to do with production, infrastructure, environmental protection, citizen security, education and health, and the Ministries of State and of Autonomous Areas, respectively, have been mandated to include the relevant actions and budget in their respective institutional plans. The execution of those plans, programmes and projects should be carried out through the administrative agencies of the special regime and the territorial and community governments, with the Ministries and independent bodies required to offer technical assistance directly to the agencies and technical bodies of the territorial and indigenous governments in observance of the rights, duties and actions in exercise of the special development regime for those indigenous territories (in accordance with the recommendations made in paragraphs 62, 63, 64, 67, 69, 71 and 73).[1]

29. It should be noted that this special development regime is based in the territorial and community governments and traditional forms of administration of the affairs and interests of the member communities, who select from among the territorial chiefs of the three indigenous territories a head of indigenous territorial government who holds office for a year. This territorial government office will rotate each year among the territorial chiefs of the region.

30. To date, three territorial governments have been installed, and the process of opening ministerial delegations in those areas is under way. In addition, they will appoint and hire indigenous experts for leadership posts.

31. Another related activity was the formation in 2008 of the Secretariat of Indigenous Affairs within the basic structure of the Ministry of Citizen Power for Foreign Affairs, in order to observe faithfully the international treaties and agreements relating to indigenous peoples and peoples of African descent. Among its tasks, it will consider a strategy for the Autonomous Regions of the Caribbean coast, in order to determine the mechanisms for implementation of the treaties that promote indigenous peoples.

32. From its establishment, the Secretariat of Indigenous Affairs has participated in various meetings and activities with representatives of the Nicaraguan and Honduran indigenous communities, as well as various national and international non-governmental organizations, cooperation agencies and embassies, with the objective of responding to the problems of the Mayagnas in Alto Wangki.

33. The following instruments are among legislation and decrees aimed at compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD):

- Act No. 28 on Autonomy (1987) and its Regulations (July 2003);
- Act No. 162 on the Official Use of the Languages of the Communities of the Atlantic Coast of Nicaragua (22 June 1993);

- Decree No. 53-94: Establishment of the National Committee for the International Convention on Indigenous and Tribal Peoples, Gazette No. 237, p. 4310, 19 December 1994;

- Agreement on the establishment of a Development Fund for the Indigenous Peoples of Latin America and the Caribbean, Madrid, Spain, 24 July 1992, signed by Nicaragua on 24 July 1992, adopted and ratified by Decree No. 13-19, Gazette No. 107 of 9 June 1995. p. 1953. Deposit of the instrument of ratification: 10 July 1995;

- General Act No. 217 on the environment (March 1996);

- Decree No. 16-96: Establishment of the National Commission for the Delimitation of the Lands of the Indigenous Communities of the Atlantic Coast. Gazette No. 169, p. 3714, 6 September 1996;

- Decree No. 23-97: Amendment and addendum to Decree No. 16-96 establishing the National Commission for the Delimitation of the Lands of the Indigenous Communities of the Atlantic Coast, Gazette No. 96, p. 2108, 23 May 1997;

- Act No. 287, Child and Adolescent Code (March 1998);

- Act No. 392 on Promotion of the Integral Development of Youth (May 2001);

- General Act No. 423 on Health (March 2003);

- Act No. 475 on Citizen Participation (October 2003);

- Act No. 445, Act on the communal property regime of the indigenous peoples and ethnic communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and of the Bocay, Coco, Indio and Maiz Rivers. Gazette No. 16, p. 313, 23 January 2003;

- Decree No. 37-2006: Declaration of National Garifuna Day, 19 November, for the dissemination, expression and preservation in Nicaragua of the language, art, culture and values of the Garífuna people of Nicaragua. Gazette No. 122, p. 5665, 23 June 2006;

- Decree No. 37-2006: Declaration of National Garifuna Day (19 November every year);

- National Assembly Decree No. 5154: Declaration of 9 August as the annual "National Day of Indigenous Peoples of Nicaragua". Gazette No. 157, p. 5245, 17 August 2007;

- Act No. 641, New Code of Criminal Procedure (November 2007);

- National Assembly Declaration No. 001-2008: National Assembly Declaration expressing appreciation to the United Nations General Assembly for the adoption of the "United Nations Declaration on the Rights of Indigenous Peoples", and undertaking to promote action that reflects the provisions of that Declaration in order to harmonize the national normative framework with it, Gazette No. 68, p. 2212, 11 April 2008;

- Decree No. 19-2008: Declaration on the Special Development Regime, for the attention of the Executive Branch, in the indigenous territories of the Miskito Indian Tasbaika Kum, Mayagna Sauni Bu and FIPLA Sait Tasbaika, located in

the Alto Wangki and Bokay basin, whose administrative headquarters will be the San Andrés de Bocay community, without prejudice to municipal autonomy (this special development regime will be the responsibility of the indigenous territorial government that will be composed of the chief of each of the three indigenous territories and will elect a head of indigenous territorial government from among them). Gazette No. 83, p. 2715, 5 May 2008;

- Decree 21-2008: Amendment and Addendum to Decree No. 71-98 entitled "Regulations on Act No. 290, Act on Organization, Competence and Procedures for the Executive Branch" (Addendum to the Secretariat of Economic Relations and Cooperation in the Ministry of Foreign Affairs of a Secretariat for Indigenous Affairs, under the direction of a Secretary with the rank of Deputy Minister), Gazette No. 83, p. 2716, of 5 May 2008;

- Act No. 669 on Soil Conservation and Use in the Bosawas Biosphere Reserve (September 2008).

34. The above-mentioned laws provide specific coverage of the rights to health, education, justice, citizen participation, the environment, drinking water, electric power, trade and tourism, inter alia, of the communities of peoples of African descent, maintaining their particular characteristics. The Government of Nicaragua has likewise drawn up a Human Development Plan for the period 2007-2012 that includes activities to ensure the well-being and development of indigenous communities and peoples based on their traditional forms of organization.

V. National institutions for coordination of indigenous issues

35. The institution responsible for this area is the Secretariat for Indigenous Affairs and Peoples of African Descent in the Ministry of Citizen Power for Foreign Affairs. The official responsible is Joel Dixon, Deputy Minister and Secretary for Indigenous Afro-Descendant Affairs.

VI. Training on indigenous issues for public officials

36. The Government of Reconciliation and National Unity assumes as a principle of its governance plan the protection of nature and the environment, respecting the ancestral rights of indigenous peoples and communities of African descent and changing the development model through new forms of environmental justice. Therefore, from this perspective, all actions of government institutions take into consideration in their annual plans the indigenous and Afro-descendant component as a universal priority theme which should receive due attention.

37. For its part, the Caribbean Coast Development Council has designed a Caribbean Coast Development Strategy 2008-2012 which lays the foundation for equitable development in harmony with the culture and geography of the region that also strengthens the leadership and regional and community organizations within an autonomous process. It is basically a system of social justice inspired by the history and culture of the peoples of the Caribbean coast. The necessary conditions thus are being created for the development of a systematic training programme for public officials on issues relating to indigenous peoples and peoples of African descent.

VII. Promotion and implementation of the United Nations Declaration on the Rights of Indigenous Peoples

38. The basic objective of the National Commission for the Elimination of Racial Discrimination, made up of State institutions, civil society organizations, and movements of indigenous peoples and communities of African descent, is to promote and disseminate on the national level the fight against racism and discrimination, to coordinate and execute a plan of action to advance the process of autonomy for the Atlantic regions and to incorporate under appropriate conditions of equality the peoples of the Pacific and Central and Northern regions, facilitating the construction of a truly equitable, inclusive and multi-ethnic society.

39. The Nicaraguan Government believes in the importance of direct participation of representatives or members of the indigenous and Afro-descendant communities in the actions of decision-making bodies of State organs. Currently those communities participate in decision-making in various ways, both at the local and national levels, for instance through municipal mayor's offices, regional government, regional councils, delegations of State ministries and the Caribbean Coast Development Council under the Office of the President of the Republic.

40. This level of participation in the country's political life was one of the recommendations submitted by the Nicaraguan Government at the Preparatory Meeting for the Durban Review Conference in June 2008 as one of its most positive and successful experiences in combating racism and discrimination.

41. Likewise, it is imperative that international cooperation should support through concrete action the efforts of the Government of Reconciliation and National Unity to restore the rights of indigenous peoples and communities of African descent, thereby ensuring respect for the precepts of equality and equity among all Nicaraguans.